

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MANANA TARALASHVILI,

Civil Action No:

Plaintiff,

COMPLAINT

-against-

JURY TRIAL DEMANDED

TYREE LATWAN MELVIN and PLUMMER ENTERPRISES LLC,

Defendants.
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Plaintiff, MANANA TARALASHVILI, by and through her attorneys, KARASIK LAW GROUP, PC, complaining of the Defendants herein, respectfully shows the Court and alleges:

PRELIMINARY STATEMENT

1. This is a civil action in which the Plaintiff, MANANA TARALASHVILI, seeks for serious personal injuries sustained due to the negligence of the Defendants, TYREE LATWAN MELVIN and PLUMMER ENTERPRISES LLC, as the result of a motor vehicle accident which occurred on April 29, 2022. The Plaintiff seeks compensatory damages, affirmative and equitable relief, an award of costs and interest, and such other and further relief as this Court deems just and proper.

JURISDICTION

2. Plaintiff, MANANA TARALASHVILI (hereinafter, "TARALASHVILI"), was and still is a resident and a citizen of Rockland County, State of New York.

3. At all times herein mentioned, and upon information and belief, Defendant, TYREE LATWAN MELVIN (hereinafter, "MELVIN"), was and still is a resident and a citizen of Mercer County, State of New Jersey.

4. At all times herein mentioned, and upon information and belief, Defendant PLUMMER ENTERPRISES LLC (hereinafter, "PLUMMER") was and still is a domestic limited liability

company duly authorized and existing under and by virtue of the law of the State of Arizona with an address of 10401 South 44th Place, Phoenix, AZ 85044.

5. The within action is one over which this Court has jurisdiction by virtue of 28 U.S.C. Section 1322 on the grounds that the court has diversity jurisdiction in actions where the parties are residents of different states.

6. Accident occurred in Town of Greenburgh, Westchester County, State of New York.

VENUE

7. Venue herein is proper for the United States District Court for the Southern District of New York pursuant to 28 U.S.C. §1391(a), (b) and (c).

JURY TRIAL DEMAND

8. Plaintiff demands a trial by jury of all issues in this action that are triable.

AS AND FOR A FIRST CAUSE OF ACTION AGAINST DEFENDANTS,
TYREE LATWAN MELVIN and PLUMMER ENTERPRISES LLC
(For Personal Injuries)

9. Plaintiff re-alleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

10. On or about April 29, 2022, and at all times herein mentioned, Plaintiff TARALASHVILI, was an operator of 2004 Chevrolet bearing New York State license plate number 603KWV.

11. On or about April 29, 2022, and at all times herein mentioned, Defendant PLUMMER, was the registered owner of 2014 Freightliner Tractor bearing Arizona State license plate number AL18392.

12. On or about April 29, 2022, and at all times herein mentioned, Defendant MELVIN, was an authorized operator of 2014 Freightliner Tractor bearing Arizona State license plate number AL18392.

13. On or about April 29, 2022, and at all times herein mentioned, eastbound I-287, County of Westchester, State of New York, was and remains a public roadway, street and/or thoroughfare.

14. On or about April 29, 2022, at the aforesaid location, Defendant MELVIN, while operating the aforementioned 2014 Freightliner Tractor bearing Arizona State license plate number AL18392, attempted an unsafe lane change striking Plaintiff TARALASHVILI's aforementioned 2004 Chevrolet bearing New York State license plate number 603KWV.

15. As a result of the occurrence, Plaintiff TARALASHVILI was seriously injured.

16. The aforesaid occurrence was caused wholly and solely by reason of the carelessness and negligence of Defendants MELVIN and PLUMMER stemming from the ownership, use, operation, and control of the 2014 Freightliner Tractor bearing Arizona State license plate number AL18392, and through no fault on any part of the Plaintiff TARALASHVILI.

17. The negligence of the Defendants, consisted of, but not limited to, ownership of the aforementioned motor vehicle; operating the aforementioned motor vehicle in negligent and careless manner; failing to keep the aforementioned motor vehicle under reasonable and proper control; failing to operate the aforementioned motor vehicle with due regard for the safety of the public and others; failing to keep a proper lookout; failing to observe what was available to be observed; operating the aforementioned motor vehicle in a manner contrary to, and in violation of, the statutes, ordinances, rules and regulations applicable and in existence on the date of the occurrence; failing to provide and/or make prompt and timely use of adequate and efficient brake and steering

mechanisms; operating the aforementioned motor vehicle in such a negligent and careless manner as to precipitate the aforesaid occurrence; failing to take defensive action and failing to maintain a safe and sufficient distance between vehicles; failing to maintain safe lane change.

18. That because of Defendants' carelessness and negligence, Plaintiff TARALASHVILI was severely injured, bruised, and wounded, and Plaintiff TARALASHVILI suffered, still suffers, and will continue to suffer for some time, from physical pain and bodily injuries, and became sick, sore, lame, and disabled, and so remained for a considerable length of time.

19. By reason for the foregoing, Plaintiff TARALASHVILI has sustained serious injuries, harmful and permanent injuries to body as defined by Section 5102 of the Insurance Law.

20. By reason of the foregoing, Plaintiff TARALASHVILI, has been damaged in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction and which warrants the jurisdiction of this Court.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount to be determined at trial and for such other and further relief as this court may deem just and property.

Dated: May 23, 2022
Brooklyn, New York

Yours, etc.

KARASIK LAW GROUP, PC

/s/ Alexander Karasik

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